



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION

JUAN JOSE PRERA,
Petitioner,

v.

DANIEL PARAMO, Warden,
Respondent.

Case No. EDCV 13-01794 CJC (AN)

ORDER ACCEPTING THE FINDINGS
AND RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the file, including the Magistrate Judge's Report and Recommendation ("R&R") and Petitioner's Objections [42]. Further, the Court has completed a *de novo* review of those portions of the R&R to which Petitioner has objected.

IT IS ORDERED that:

1. The Objections reiterate arguments raised in the Second Amended Petition that lack merit for the reasons explained in the R&R. The findings and conclusions in the R&R also expose and demonstrate that the Objections contain arguments that misconstrue the doctrine of procedural default and relevant parts of the Antiterrorism and Effective Death Penalty Act of 1996. Accordingly, the Objections are overruled.

2. The Court accepts the findings and recommendation of the R&R.

1 3. Judgment shall be entered denying the Second Amended Petition and
2 dismissing this action with prejudice.

3 4. All pending motions are denied as moot and terminated.

4 IT IS FURTHER ORDERED that the clerk of the Court shall serve a copy of this
5 Order and the Judgment on all counsel or parties of record.

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8 Dated: January 8, 2015


CORMAC J. CARNEY
UNITED STATES DISTRICT JUDGE